

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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SEIDMAN, et al.,

Plaintiffs,

v.

COLBY, et al.,

Defendants.

No. 1:18-CV-202  
(TJM/CFH)

**APPEARANCES:**

Law Office of Gregory P. Mouton, Jr., LLC  
1441 Broadway, 6<sup>th</sup> Floor  
New York, New York 10018  
Attorney for Plaintiffs

Attorney General for the  
State of New York  
The Capitol  
Albany, New York 12224  
Attorney for defendant  
Joseph Colby

**OF COUNSEL:**

GREGORY PAUL MOUTON, JR., ESQ.

MICHAEL G. MCCARTIN, ESQ.  
Assistant Attorney General

**CHRISTIAN F. HUMMEL  
U.S. MAGISTRATE JUDGE**

**ORDER**

A conference was conducted with counsel for all parties on January 5, 2021.

The Court directed that defendant Colby's disciplinary file with the New York State Police be delivered to the Court for in camera review. Text Minute Entry dated Jan. 5, 2021. Defendant Colby's disciplinary file was delivered to the Court

The Court has conducted an in camera review of defendant Colby's disciplinary file. The file contains case number DCN 2019-0241 and case number 2017-0226.

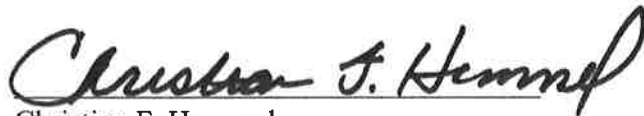
Based upon the Court's review of the disciplinary file it is hereby,

**ORDERED** that:

- 1) Plaintiff's request for disciplinary file DCN 2019-0241 is **DENIED**, as nothing in that file is the proper subject of discovery pursuant to Rule 26 of the Federal Rules of Civil Procedure; and
- 2) Plaintiff's request for a copy of disciplinary file 2017-0226 is **GRANTED**. Counsel for defendant Colby is directed to provide that file, with the exception of page 48, which is a medical report regarding a nonparty, to plaintiff's counsel within ten (10) days from the date of this Order.

**IT IS SO ORDERED.**

Dated: January 11, 2021  
Albany, New York



Christian F. Hummel  
U.S. Magistrate Judge